Editorial:

Bioethics in the New Millennium

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It is always rather bold to launch a new journal. It requires teamwork, prodigious labor, start-up funding, and a willingness to take risk. It also requires the sense that what one hopes to offer through the journal is not being offered elsewhere.

The sense of boldness seems somehow greater because of the fact that *The National Catholic Bioethics Quarterly* is being launched at the dawn of a new millennium. Simply the realization that we cannot even begin to fathom what the next hundred years will bring in health care and the life sciences, much less the next millennium, humbles us as we take on the task. Yet Catholics have never shrunk from new ventures undertaken in defense of human dignity and in the service of the human person. In light of the tremendous developments in medicine and the life sciences, we believe there is a need to bring the Catholic ethical tradition to bear on these developments in a scholarly journal so that we can more effectively share these insights with as many interested parties as possible.

There are few other religious communities which have reflected so long and so systematically on the ethical issues touching on health care and medicine as has the Catholic. We believe our tradition has developed unique philosophical tools for the task and has gained vast experience in this area.[1] Physicians were among the earliest members of the Catholic Church. St. Luke, a physician, was one of the Evangelists recording the life of Jesus and the earliest history of the Church. The twin

[1]See *Conserving Human Life*, Russell E. Smith, ed. (Braintree, MA: The Pope John XXIII Medical-Moral Research and Education Center, 1989), especially Part I, "The Moral Law in Regard to the Ordinary and Extraordinary Means of Conserving Life," by Daniel A. Cronin. Cronin traces the prohibition against direct killing from the Scriptures through Church history, illustrating how moral principles were developed to deal with those who are dying in light of the prohibition against killing.

physicians in the early Church, Saints Cosmas and Damian, are still invoked in the principal prayer at the heart of the Roman Catholic Mass. Indeed, the institution which came to be known as the hospital had its origins in a Catholic social milieu.

The National Catholic Bioethics Center was itself founded thirty years ago as the Pope John XXIII Medical-Moral Research and Education Center in order to apply the Catholic ethical tradition to advances in medicine and the life sciences. During most of that time the Center has had a monthly medical-moral commentary known as *Ethics & Medics*. It has its devoted readers and has attained its own comfortable "market niche." However, since the publication is only four pages in length, carrying two short articles, it cannot begin to address morally complex issues in the depth we would like. We hope the *NCBQ* will enable us to explore certain topics in a much more thorough manner. We also hope it will provide a forum for reflection on health care topics from other religious traditions and from various perspectives within the Catholic Church itself. It will surprise no one to learn that even Catholics do not view all ethical issues in the same way!

The religious sisters who were the principal founders of Catholic health care in the United States could hardly have foreseen that the somewhat modest clinics and hospitals they were establishing could have grown into the vast national network of Catholic health care, with cumulative annual budgets over $80 billion, making use of the most sophisticated medical technology available anywhere in the world.

As the dynamics of health care and its delivery change and new therapies develop with astonishing rapidity, the core mission of Catholic health care remains the same: to serve the person in need of physical or mental healing. This *Quarterly* wants to assist those who provide such healing so that they will always promote the greatest good and never in any way violate the dignity of the human person.

It may seem surprising to suggest that in pursuing good we must provide safeguards against violating human dignity. Yet the moral challenge for human beings has always been, it seems to me, the temptation to commit some "little evil" in the pursuit of a much greater good.

Health Care Needs Help from the Larger Society

The French statesman Georges Clemenceau one time declared: "War is too serious a business to be left to soldiers."[2] There is a way in which it can also be said: "Medicine is too serious a business to be left to physicians."

To say this in no way denigrates the skills, competence, and expertise of the physician. I will want a highly trained physician waging war on my illness, not some highly trained theologian, just as I would want the general, not the theologian, developing strategies and battlefield tactics in defense of the homeland. However, the remark by Clemenceau—and our modification of it—does tell us that both these undertakings, which are ultimately ordered toward the protection of innocent human life, can have destructive effects in the pursuit of what is good if they are not placed securely within a social and cultural context which will minimize their abuse and enhance their capacity for achieving what is good.

[2]B.H. Liddell Hart, *History of the Second World War* (New York: G.P. Putnam's Sons, 1970), p. 22.

As we enter upon the third millennium of the Christian era, we see medicine about to achieve breathtaking advances in the cure and prevention of disease. We can almost contemplate, and not in the realm of science fiction, a kind of immortal physical existence—as though anyone would truly want such a thing! With advances in the reading of the human genetic code, with the capability of regenerating damaged nerve cells, growing replacement organs, and other marvels, one can imagine extending life to the biblical proportions mentioned in Genesis when persons reportedly lived for centuries. But with advances have sometimes come the temptation to achieve these remarkable developments at the expense of human dignity, indeed, of human life itself.

Physicians and researchers in the life sciences are often the first to admit that they need the cumulative wisdom of society as a whole, of tradition in its broadest sweep, of scholars who are paid simply to be still, to read, to debate, and to contemplate the implications of scientific developments for society as a whole and for the individuals who comprise it. When the Hippocratic Oath was jettisoned in the wake of the Supreme Court ruling to legalize abortion in 1973, medicine and the life sciences were cut free from moorings which had often prevented evil from being done in the name of good.[3]

The perennial human temptation to achieve some kind of good at the expense of another good can lead to sin.[4] A researcher may be so convinced of the value of his or her own theory and the benefits that its implementation will provide to others that he or she is tempted to skew the research data to fit the conclusions already drawn. The physician may be convinced that this one lethal dosage of morphine for this particular suffering patient will not undermine his or her own professionalism or the profession itself. However, once honesty has been compromised, once an individual human life has been directly terminated, there are no longer any ethical grounds upon which one can stand to protest other direct actions against honesty or human life in the future. Oaths are of particular value in morally grounding individuals in times of great social change, upheaval, and turmoil.

Catholic Bioethics

A word on Catholic bioethics. When our center was first established thirty years ago it was to provide ethical reflection from within the Catholic tradition on developments principally in medicine. One spoke of medical ethics at that time, as one still does. However, in the intervening years there have been developments in the life sciences which may not have a direct medical application but which certainly touch upon questions of human dignity. For example, there is currently tremendous controversy over engendering human embryos *in vitro* and using them for

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[3]See Nigel M. de S. Cameron, *The New Medicine: Life and Death after Hippocrates* (Wheaton, IL: Crossway Books, 1991). See also Joseph R. Stanton, M.D., E. Joanne Angelo, M.D., and Marianne Luthin, "A Modern Hippocratic Oath," *The World & I* (July 1996), pp. 114–119.

[4]The *Catechism of the Catholic Church* refers to sin as "an offense against reason, truth, and right conscience; it is failure in genuine love for God and neighbor caused by *a perverse attachment to certain goods*." No. 1849. (Emphasis added.)

research. Our tradition has never allowed human subjects to be used for non-therapeutic experimentation without their consent and consent cannot legitimately be given if the experiment entails significant risk to the person's well-being.[5] The difficult question in this case is what constitutes a human subject. Obviously such questions go beyond the mere practice of medicine and embrace broader issues raised in the life sciences, in the area of biology itself. This would certainly seem to warrant using the term "bioethics" instead of "medical ethics" to describe the range of our concerns.

Just as medical ethicists avail themselves of a variety of ethical theories or moral methodologies in addressing the questions with which they are dealing, even so different theories or methodologies can be used in the area of bioethics. From a theoretical point of view one may address these questions as an Aristotelian, a pragmatist, a utilitarian, a consequentialist, an emotivist, a deontologist, a Thomist, a proportionalist. No one ethical theory has been baptized as being specifically Catholic, although there are some which have been judged to be incompatible with a Catholic understanding of what constitutes ethically appropriate behavior. The encyclical letter of Pope John Paul II *Veritatis splendor* specifically addressed the inadequacies of certain moral theories being used in our day, particularly that of proportionalism.[6]

The Place of Christ

Catholic bioethics will of course look to the teachings of the founder of Christianity, Jesus Christ, and to the moral tradition which has developed over two millennia in the Christian Church. However, it nonetheless retains the conviction that its moral principles, and even specific precepts, will be compatible with those of any individual of sound reason and good will.[7]

To be compatible with the Catholic understanding of the human person, an ethical theory or moral methodology would have to acknowledge an objective moral order. Such a theory would have to recognize that there are certain actions, apart from the motives of those acting, which would do violence to the human person. Traditionally we designate such actions as "intrinsically evil." However, actions which do violence to the human person must be understood in a way which transcends mere bodily and temporal existence.

Catholic bioethics, and any bioethics that would be compatible with it, must recognize that the human person has a destiny which transcends physical existence. Death is the lot of every human being. But every human being has a destiny, an

[5]See *Ethical and Religious Directives for Catholic Health Care Services* (Washington, D.C.: The National Conference of Catholic Bishops, 1995), nos. 31 and 33. See also Pope Pius XII, *Address to the Sixteenth International Congress of Military Medicine* (October 19, 1953) and his *Address to the Eighth Congress of the World Medical Association* (September 30, 1954).

[6]John Paul II, *Veritatis splendor*, 1993.

[7]Catholics early embraced the Hippocratic Oath and made it their own. Pope John Paul II in his encyclical *The Gospel of Life*, refers to "the still relevant Hippocratic Oath which requires every doctor to commit himself to absolute respect for human life and its sacredness." No. 89.

ultimate fulfillment, beyond death.[8] Such a conviction can be derived from philosophical reflection alone, as was done, for example, by Immanuel Kant.[9] The only thing which would ultimately and in the final analysis do violence to the human person would be actions that placed one's ultimate destiny in jeopardy.

The Catholic view here need not be at odds with the positive insights of the humanist. I make this claim because the Catholic Church teaches that the only thing which would finally place the human person at risk of his ultimate fulfilment would be an act which violated his own personhood. The medieval theologian Thomas Aquinas (d. 1274) articulated the essence of the Catholic approach to morality in a remarkable lapidary fashion in his *Summa contra Gentiles*: "God is offended by us only when we act against our own good." Surely such a salutary insight ought to be able to be grasped by all who are Christian, but also by those who are not Christian. It certainly is compatible with the first principle of medical practice: "*Primum non nocere*," "First, do no harm." We ought never to act against our own good or the good of another. To do so would simply be unreasonable.

There are theologians today who teach that sinful actions are only those which "harm" the person. However, the Catholic Tradition has understood sin as a departure from the Eternal Law, which is the Mind of God ordering all things toward their created ends, as the ultimate harm to the human person. But one needs a long view to see this and a confidence that the created order reflects an intelligible and loving design.

To perform a directly sterilizing vasectory or tubal ligation, for example, may not appear to harm the individual in question. However, when it is seen that such an act ultimately repudiates what that person is in his or her full potentiality as a rational, fertile human being, it can be seen that there has been a repudiation, a violation of what that person is. In this example, a healthy bodily system, the reproductive, is not treated as the good which it is. Nor is sufficient trust placed in the exercise of reason, will, and the ability of the person to choose types of behavior that are compatible with his or her own nature. In other words, if one has a moral obligation to avoid having a child at a particular point in time, one can reasonably choose not to have sexual intercourse. This would constitute a choice compatible with one's human nature as a free and rational creature.

This insight ought to be accessible to the light of natural reason. However, self-interest and passion often cloud the use of reason. A contraceptive act in truth departs from the Eternal Law and, therefore, from the good plan God has for his creature. As St. Thomas says, the natural moral law is nothing other than the rational creature's participation in the Eternal Law.[10] What will finally serve the good of

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[8]We ought to remember that those raised from the dead by Jesus, such as Lazarus and the daughter of Jarius, later died.

[9]See, for example, Immanuel Kant, *Critique of Judgment*, or his *Religion within the Bounds of Reason Alone*.

[10]". . . the rational creature is subject to Divine Providence in the most excellent way ... it has a share of the Eternal Reason, whereby it has a natural inclination to its proper act and end: and this participation of the eternal law in the rational creature is called the natural law

the person is to see, acknowledge, and live in accord with the Eternal Law, that is, God's Mind ordering all things to their created ends.

Jesus Christ, whom Catholics believe to be God, taught: "Whoever would lead one of these little ones astray, it were better for him for a millstone to be tied around his neck and that he be cast into the sea." One way that passage could be understood is: "Do not mislead others as to what is in their best interest."

Of course, here we speak in generalities about the importance of acting in one's best interest. Yet it is not as though we have no guidance with respect to specific acts. Again, Catholics believe God has spoken directly as he did in Christ, but not in a way incompatible with what one ought to be able to perceive morally by the use of simple reason, e.g., "Thou shalt no kill." There are some in our day whose reason can no longer clearly see the irreducible character of this moral imperative and who advocate the direct taking of innocent human life *in utero* or in the hospital room. In these individuals, the power of reason has been choked by the conceits of a narrow self-interest and the pressures of a utilitarian society which reduce individuals to being mere means to ends and attributes value to human life on the basis of social utility.

Catholic bioethics will not hesitate to turn to the truths about the human person which God has revealed in the Sacred Scriptures of the Church interpreted by the bishops throughout the world in union with the Bishop of Rome. Catholic bioethics will turn to the Magisterium (the teaching authority of the bishops) as a thoroughly reliable source of moral truth as it reflects on the ethical implications of new developments in medicine and the life sciences and as it attempts to apply the received tradition to everyday occurrences of moral complexity.[11]

The Dawn of the Biotech Age

There is a certain irony in the launching of a Catholic bioethics journal at the dawn of the third millennium. Christians are celebrating the two-thousandth anniversary of the Second Person of the Trinity having become man, having assumed our human nature, in order to save us from a life of corruption (both moral and physical) and death (both moral and physical). Yet at the very moment when Catholics celebrate the mystery of the Incarnation, researchers have penetrated into the mysteries of life in order to engender new human forms which have components that are not exclusively human.

We have begun to clone human beings that contain mitochondrial genetic material from other species. At this writing they have not survived beyond the petri dish, but can anyone think they will not? At a time of celebration of the belief that God took on our humanity, the Church must begin to ask if particular new life forms

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... the natural law is nothing else than the rational creature's participation of the eternal law." Thomas Aquinas, *Summa theologiae*, I–II, q. 91, a. 2.

[11]See the *Instruction on the Ecclesial Vocation of the Theologian*, Congregation for the Doctrine of the Faith (Vatican City, May 24, 1990). "By reason of the connection between the orders of creation and redemption and by reason of the necessity, in view of salvation, of knowing and observing the whole moral law, the competence of the Magisterium also extends to that which concerns the natural law."

are or are not human. Do they have rights? How do we treat them? Should we baptize them?

As this is being written the British House of Commons has approved the engendering of human embryos for research purposes. These beings are unquestionably human and yet are being violated with impunity. What of hybrids, what of human embryos modified at the very beginning of their existence to self-destruct? The Church and other Christians must grapple with these questions and provide some moral guidance. Otherwise the human race God entered two thousand years ago will risk its own abolition. As stated by the Pontifical Academy for Life: "The proclamation of the 'death of God,' in the vain hope of a 'superman' produces an unmistakable result: the 'death of man.' It cannot be forgotten that the denial of man's creaturely status, far from exalting human freedom, in fact creates new forms of slavery, discrimination, and profound suffering."[12]

The irony may be that humanity did not come to end with a bang, in the nuclear holocaust so feared over the last half of the twentieth century, but may come to an end as we have known it with human embryos manipulated and experimented upon in petri dishes in the sterile silence of biotech laboratories. There are tremendous risks attendant upon introducing into the human species genetically modified individuals, perhaps carrying genetic material of other species.

These risks can be largely avoided if society once again develops a sense of awe before human life in its origins and in its final demise. The Catholic reverence for human life, derived from its deepest religious beliefs, can help shape societal attitudes and public policy.

> What is it that is about to be created, that enjoys such honor? It is man—that great and wonderful living creature, more precious in the eyes of God than all other creatures! For him the heavens and the earth, the sea and all the rest of creation exist. God attached so much importance to his salvation that He did not spare his own Son for the sake of man. Nor does He ever cease to work, trying every possible means, until He has raised man up to Himself and made him sit at his right hand.[13]

There is a sense in which the ultimate goal of every Catholic apostolic initiative is to see to it that those served by the apostolate have the chance to be raised up by God to sit one day at his right hand. Catholic health care, to be sure, does this by providing health care, not by preaching or proselytizing. It does it specifically by being true to the discipline, the art, and the science of medicine. However, to do anything in health care or medical research which would be immoral would assuredly place this ultimate goal in jeopardy and would at the same time do violence to the art and science of medicine. Here Catholic bioethics or medical ethics play an invaluable role to assist the caregiver, to assist the patient, to assist the researcher, to assist public servants make decisions which are thoroughly consonant with human dignity. We hope *The National Catholic Bioethics Quarterly* will help serve this purpose.

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[12]"Reflections on Cloning," The Pontifical Academy for Life, in *Origins*, May 21, 1998 (Vol. 28, No. 1), p. 14.

[13]St. John Chrysostom, *In Gen. Sermo* II, 1:PG 54, 587D–588A.